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UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA
WESTERN DIVISION

MINDS, INC., TIM POOL, THE

BABYLON BEE LLC, and

NATIONAL RELIGIOUS

BROADCASTERS,

Plaintiffs,

v.

ROBERT A. BONTA, Attorney

General of California, in his official

capacity,

Defendant.

Case No.: 2:23-cv-02705-RGK-MAA

JOINT RULE 26(f) REPORT

Scheduling Conference

Date: June 26, 2023

Time: 9:00 AM

Courtroom: Roybal 850

1 After a conference held on June 1, 2023, plaintiffs Minds, Inc., Tim Pool, The
2 Babylon Bee LLC, and National Religious Broadcasters and defendant Robert A. Bonta
3 submit this Joint Rule 26(f) Report:

4 **I. STATEMENT OF THE CASE**

5 This case is a challenge to a newly enacted California statute, AB 587, codified as
6 Business & Professions Code §§ 22675 – 22681. The statute imposes certain
7 requirements on companies that own or operate social media platforms. Plaintiffs allege
8 that AB 587 will result in the chilling or censoring of their speech in violation of the First
9 Amendment. Defendant contends that AB 587 merely requires social media companies
10 to make certain disclosures and that the statute will not infringe plaintiffs' First
11 Amendment rights.

12 **II. DISCOVERY PLAN**

13 **A. INITIAL DISCLOSURES**

14 Given the nature of the complaint and defendant's pending motion to dismiss, the
15 parties have agreed that disclosures under Rule 26(a) will be made fourteen days after the
16 Court's ruling on the motion to dismiss.

17 **B. SUBJECTS AND TIMING OF DISCOVERY**

18 The subjects of discovery will be the impact of AB 587 on plaintiffs, social media
19 platforms, and users of social media platforms.

20 The parties do not believe that discovery should be conducted in phases or be
21 limited to or focused on particular issues.

22 The parties propose a fact discovery cutoff on February 11, 2024.

23 **C. ELECTRONICALLY STORED INFORMATION**

24 The parties do not anticipate any issues regarding the disclosure, discovery, or
25 preservation of electronically stored information.

26 **D. PRIVILEGE ISSUES**

27 The parties will seek to include a claw-back procedure in a protective order
28 governing discovery materials.

1 **E. LIMITATIONS ON DISCOVERY**

2 The parties do not believe any changes should be made in the limitations on
3 discovery imposed under the rules or by local rule.

4 **F. OTHER ORDERS**

5 The parties do not request any other orders under Rule 26(c) or under Rule 16(b)
6 and (c).

7 **III. MANUAL FOR COMPLEX LITIGATION**

8 The parties do not believe the procedures of the Manual For Complex Litigation
9 should be utilized in this case.

10 **IV. MOTION SCHEDULE**

11 The parties propose a motion cutoff date of April 22, 2024

12 **V. ADR**

13 The parties agree to ADR Procedure No. 1, settlement proceedings before the
14 district judge or magistrate judge assigned to the case.

15 **VI. TRIAL ESTIMATE**

16 The parties preliminarily estimate 3-5 days for trial of this matter.

17 **VII. ADDITIONAL PARTIES**

18 The parties do not currently anticipate the appearance of additional parties.

19 **VIII. EXPERT WITNESSES**

20 The parties propose disclosures under Fed. R. Civ. P. 26(a)(2) as follows:

21 Initial expert disclosures: March 1, 2024

22 Rebuttal expert disclosures: April 1, 2024

1
2 Dated: June 13, 2023

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5 By: /s/ James R. Lawrence
James R. Lawrence, III

6 Attorneys for Plaintiffs Minds, Inc.,
7 Tim Pool, The Babylon Bee LLC, and
8 National Religious Broadcasters

9
10 Dated: June 13, 2023

ROB BONTA
Attorney General of California
11 PAUL STEIN
12 Supervising Deputy Attorney General

13 By: /s/ Sharon L. O'Grady
14 SHARON L. O'GRADY
15 Deputy Attorney General

16 Attorneys for Defendant Rob Bonta,
17 in his official capacity as Attorney
18 General of California

19 **Attestation**

20 I attest that all signatories listed above, and on whose behalf the filing is submitted,
21 concur in the filing's content and have authorized the filing.

22
23 /s/ Sean P. Gates
24 Sean P. Gates